

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

MARK MANCINI,  
*Plaintiff,*

vs.

CITY OF PROVIDENCE, by and through its  
Treasurer, James J. Lombardi, III,  
*Defendant.*

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Civil Action No. Ca 13-092S

**DEFENDANT’S STATEMENT OF DISPUTED FACTS**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and LR cv 56 of the Local Rules of the United States District Court of the District of Rhode Island, Defendant submits the within Statement of Disputed Facts in response to Plaintiff Mark Mancini’s (“Mancini”) Statement of Undisputed Facts. Defendant states that the following facts are in dispute:

1. Mancini’s most recent performance evaluation prior to Mancini going on IOD status occurred on March 28, 2011 and was for the time period from **May 2010** to December 2010. (Pl.’s Ex. at 1).
2. Mancini’s 2010 performance evaluation rated his overall work performance for the time period **May 2010** to December 2010 as “Exceptional.” (Id.).

DEFENDANTS,  
By their Attorney,

JEFFREY DANA  
CITY SOLICITOR

/s/Kevin F. McHugh  
Kevin F. McHugh (#3927)  
Senior Assistant City Solicitor  
Steven B. Nelson (#8142)  
Assistant City Solicitor  
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**CERTIFICATION**

I hereby certify that I have filed the within with the United States District Court on this day of May 26, 2017, that a copy is available for viewing and downloading via the ECF system, and that I have caused a copy to be sent to:

Mark P. Gagliardi  
120 Wayland Avenue, Suite 7  
Providence, RI 02906

/s/Steven B. Nelson